GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

G.O.RT.No. 3 Dated: 22-01-2025

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Rt.No. Dated:22.01.2025.
Read:

From the Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri, Letter.Ref.No.40140/2003/A&DC-2, dated 17.05.2022 and even no. dated 12.09.2022.

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ORDER:

In the letters read above, the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri has informed that the departmental proceedings initiated against Sri A. Nagendra Rao, formerly Senior Assistant, Markapur Division, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 on the count of "gross misconduct resulting in misappropriation of Government money by forgering registers" have been finalized by the Principal Chief Conservator of Forests & Head of Forest Force, A.P., by dropping the charge giving a benefit of doubt vide Proc.No.42344/83-K1, dated 27.02.1993.

2. Based on complaint given by Sri Shaik Khasim (Retired Forest Guard of Markapur Division), Government reviewed the disciplinary case as per Rule 40 of A.P.Civil Services (Classification, Control and Appeal) Rules, 1991 and after following due procedure, orders have been issued in G.O.Rt.No.288, E.F.S. & T. (For.V) Department, dated 09.07.1997 setting aside the proceedings (Ref.No.42344/83-K1, dated 27.02.1993) issued by the Principal Chief Conservator of Forests & Head of Forest Force, A.P., and imposing a punishment of "10% cut in pension permanently" against Sri A. Nagendra Rao, formerly Senior Assistant, O/o the Divisional Forest Officer, Markapur Division.

3. Aggrieved by the above, the individual has filed O.A.No.8140 of 1997 before the Hon'ble APAT, Hyderabad and the same was disposed on 12.09.2003 by the Hon'ble APAT with the following orders:-

a. There is no power, vested with the Government to review or revise the orders issued by the Head of the Department after a period of (3) years and two months.

b. The Show-cause Notice as well as final orders issued by the Government are without competency. Accordingly they are set- aside. OA is allowed.

c. The respondents are directed to release the entire pension to the Applicant, which is originally due to him on the date of his retirement. Gratuity also if any due should be released in full.

P.T.O.

4. In Letter No.O.A.No.8140/1997/GSK/Forests, dated 27.10.2005, the Government Pleader for Forests, Hon'ble APAT opined that it is not a fit case to file appeal against the orders of Hon'ble APAT, Hyderabad in O.A.No.8140 of 1997, dated 12.09.2003.

5. As the applicant expired during 2001, the pensionary benefits were released to the family pensioner of deceased employee according to Hon'ble Andhra Pradesh Administrative Tribunal Orders, dated 12.09.2003 duly withholding the 10% cut in pension as per the Government Order issued vide G.O.Rt.No.288, E.F.S.&T. (For.V) Dept., dated 09.07.1997.

6. The Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri has requested the Government that the Hon'ble Tribunal orders in O.A.No.8140/1997, dated 12.09.2003 may be complied and the 10% cut in pension may be restored.

7. After careful examination of the matter, Government have decided and hereby order to implement the orders, dated 12.09.2003 of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in O.A.No.8140 of 1997 filed by Sri A. Nagendra Rao, Accounts Officer (Retired and Expired), formerly Senior Assistant, O/o the Divisional Forest Officer, Markapur Division, duly cancelling the orders issued in G.O.Rt.No.288, E.F.S.&T.(For.V) Department, dated 09.07.1997 by restoring "10% cut in pension permanently" imposed against the individual in the said G.O.

8. The Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forests Force,
A.P., Mangalagiri.
Legal heir of Sri A. Nagendra Rao, Accounts Officer (Retired and Expired), formerly Senior Assistant, O/o the Divisional Forest Officer, Markapur Division **through** the Principal Chief Conservator of Forests & Head of Forest Force, A.P., Mangalagiri.

Copy to:

The Divisional Forest Officer, Markapur Division
The Prl. AG(A&E), A.P., Vijayawada/ Hyderabad.
SF/SC (Computer No.1773836).

//FORWARDED::BY ORDER //

SECTION OFFICER